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SENATE MEMORIAL 72

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Mary Jane M. Garcia

A MEMORIAL

REQUESTING THE DEPARTMENT OF HEALTH TO STUDY THE DISPARITY IN  
CO-PAYMENTS BETWEEN ORALLY AND INTRAVENOUSLY ADMINISTERED  
MEDICATIONS.

WHEREAS, the emergence of clinically proven safe and  
effective orally and intravenously administered medications has  
significantly increased treatment options for patients; and

WHEREAS, doctors have significantly improved the care of  
patients by using both orally and intravenously administered  
medications; and

WHEREAS, greater patient out-of-pocket cost creates a  
barrier for orally administered medications; and

WHEREAS, medical benefits distinguish between prescription  
pharmaceuticals and medical treatments; and

WHEREAS, intravenously administered medications are

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1 typically covered by medical treatment benefits and require  
2 only an office visit co-payment, but orally administered  
3 medications are typically covered by prescription drug benefits  
4 and require a significant co-payment to fill the prescription  
5 at a pharmacy;

6 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE  
7 OF NEW MEXICO that the department of health be requested to  
8 identify the disparity in patient co-payments between orally  
9 and intravenously administered medications and study the  
10 reasons for the disparity and report to the legislative health  
11 and human services committee by September 2009; and

12 BE IT FURTHER RESOLVED that a copy of this memorial be  
13 transmitted to the secretary of health.

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